

### **REMARKS/ARGUMENTS**

Claim 15 has been objected to for informalities. Claims 1 to 6 and 8 to 19 were rejected under 35 U.S.C. §102(b) as being anticipated by Foster et al., U.S. Patent No. 5,524,930. Claim 7 was rejected under 35 U.S.C. §103(a) as being unpatentable over Foster in view of Wadzinski, U.S. Patent No. 5,146,829. Claims 1 to 6 and 8 to 19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ganneval, FR 2782504A1 in view of Foster. Claim 7 was rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Ganneval and Foster as applied to claims 1 to 6 and 8 to 19 and further in view of Wadzinski.

Claim 15 has been amended.

Reconsideration of the application is respectfully requested.

#### **Claim Objections**

Claim 15 has been objected to for informalities. Claim 15 has been amended to correct the informalities. Withdrawal of the objection to claim 15 is respectfully requested.

#### **35 U.S.C. 102(b) Rejections**

Claims 1 to 6 and 8 to 19 were rejected under 35 U.S.C. §102(b) as being anticipated by Foster et al., U.S. Patent No. 5,524,930.

Foster shows a midpoint 18 for creating a fold center line. One longitudinal edge 14 is used for the formation of a single longitudinal straight cutting edge 16 located generally at the approximate center mid-point 18 of unitary blade body 12. The center mid-point 18 can be several inches from the mathematical center of blade body 12. (See col. 2, lines 51 to 56). Foster also discloses a fold line 26 and a chopper fold 34.

Claim 1 recites a perforating tool for perforating single or multiple layer material webs or sheets separated therefrom, the perforating tool comprising:

- a first section having a plurality of perforating teeth and a perforation-free gap; and
- a second section having a cutting zone and at least one group of perforating elements in alternating sequential fashion, the perforating elements being angled with respect to a longitudinal axis of the second section;

- the first section being adjacent the second section at a center line, the perforation-free gap of the first section extending from the center line to the plurality of perforating teeth.

The Office Action identifies point 18 as the midpoint and 16 as the cutting zone then identifies the centerline as the cutting edge of element 16. The cutting edge of element 16 is not the center line of the Foster device as that term is defined by the present invention and specification, the center line for the fold. (See Figs. 3 and 4). The device in Foster goes through midpoint 18 providing center cut 19. Center cut 19 is parallel with fold line 26 and perforates both sides of chopper fold 34. Thus, Foster does not teach or disclose a "perforation-free gap of the first section extending from the center line to the plurality of perforating teeth."

Moreover, the rejection is inconsistent as it defines the first section to the right of midpoint 18, and the second section to the left side of midpoint 18.

Foster thus does not meet the limitation of "the first section being adjacent the second section at a center line" if the center line is not at midpoint 18.

Claims 14 and 15 have a similar limitation.

Withdrawal of the rejections to claims 1 to 6 and 8 to 19 is respectfully requested.

#### 35 U.S.C. §103 (a) Rejections

Claims 1 to 6 and 8 to 19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ganneval, FR 2782504A1 in view of Foster.

Ganneval discloses a folder for longitudinally folding and cutting a web of material. To the extent the Office Action is asserting that Fig. 4 meets the limitations of the present claims 1, 14 and 15, it is noted that section 21 is linear and is formed together so that the parts are not angled. It is respectfully submitted that one of skill in the art would not have angled such a solid section, especially in view of Foster which requires discrete sections to provide angling.

With respect to claim 7, claim 7 was rejected under 35 U.S.C. §103(a) as being unpatentable over Foster in view of Wadzinski, U.S. Patent No. 5,146,829. Claim 7 was rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Ganneval and Foster as applied to claims 1 to 6 and 8 to 19 and further in view of Wadzinski.


In view of the above, withdrawal of the rejection to claim 7 is also respectfully requested.

Withdrawal of the rejections to the claims under 35 U.S.C. 103(a) is respectfully requested.

**CONCLUSION**

The present application is respectfully submitted as being in condition for allowance and applicants respectfully request such action.

Respectfully submitted,  
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